



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/521,580	01/18/2005	Tomonori Fujisawa	IPA-005	4028

32628 7590 02/04/2008
KANESAKA BERNER AND PARTNERS LLP
1700 DIAGONAL RD
SUITE 310
ALEXANDRIA, VA 22314-2848

EXAMINER

RECEK, JASON D

ART UNIT	PAPER NUMBER
----------	--------------

2142

MAIL DATE	DELIVERY MODE
-----------	---------------

02/04/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/521,580	Applicant(s) FUJISAWA ET AL.	
	Examiner Jason Recek	Art Unit 2142	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01 November 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,3 and 5-9 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,3 and 5-9 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

This is in response to the amendments filed on November 1st 2007 which concern application 10/521,580.

Status of Claims

Claims 1, 3 and 5-9 are pending.

Claims 2 and 4 have been cancelled.

Response to Arguments

1. The amendments to claim 1 have overcome the objection of claim 1.
2. Applicant's arguments filed November 1st 2007 have been fully considered but they are not persuasive.
3. Applicant argues that Orime does not disclose the feature to detect the informed persons having not accessed, specifically, "means for detecting data ... and means for transmitting a result of detection" as recited by claim 1. This argument is not persuasive because Orime does in fact disclose who has accessed and transmits this information to the original sender. Orime discloses a reservation system where a manager invites

clients to a meeting. Clients access a webpage through an email and enter information indicating whether they will attend. This information is then sent back to the manager (paragraphs 29-33). By gathering the information and sending it back, Orime discloses detecting data and transmitting a result as recited by claim 1.

4. Applicant also argues that Bickmore et al. and Makita do not disclose the above limitations of claim 1, this argument is moot since the limitations are disclosed by Orime, the primary reference.

5. Applicant argues that Hasebe only discloses resending email and not placing calls to persons who have not responded, and thus does not disclose claim 5. While this assertion appears correct, the combination of Orime and Hasebe clearly suggest that the telephone may be used to contact an invited person who has not responded. Orime discloses that management of a meeting was previously done by telephone (paragraphs 3-4), and in the current system the telephone number is available (paragraph 20). Hasebe discloses resending an invitation if the client has not accessed it (paragraph 45). The prior art disclosed by Orime suggests organizing a meeting by telephone and Hasebe suggests resending invitations. It would have been obvious to one of ordinary skill in the art at the time of the invention to resend an invitation using the telephone if the original invitation by email was not accessed.

6. Applicant's arguments regarding claim 9 are moot in view of the new rejection.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

2. Claim is rejected under 35 U.S.C. 102(a) as being anticipated by Orime et al. JP 2002-183365 A (hereinafter Orime).

Regarding claim 1, Orime discloses "a service server" as WWW server (paragraph 21, Fig. 9), "terminal devices owned by said informing person and said informed persons connected to each other via a computer network" as an information network connecting two parties (paragraph 21, Fig. 9), and "means for transmitting to said informed persons" as prospective clients receiving e-mail with URL (paragraph 31).

Orime discloses "said URL having a document described with a www-compatible language" as a URL that when inputted into a Web browser will access the sever (paragraph 31), and "including a response column" as a webpage which the user can indicate if participating (paragraphs 31-32).

Orime discloses "wherein said service server comprises means for detecting data concerning said response column transmitted by each of the terminal devices owned by said informed persons, and means for transmitting a result of detection as a reporting E-mail to the terminal device owned by said informing person" as a system that sends an e-mail to the manager before the event regarding the status of the event based upon the user's responses (paragraph 33).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Orime in view of Bickmore et al. JP 2000-222398 A (hereinafter Bickmore).

Regarding claim 3, Orime does not disclose "wherein said document [...] has a screen processed for various display capacities of terminal devices" however Bickmore teaches this as a re-authoring system for transforming a document into two or more sub documents for viewing on PDAs (paragraphs 8-23).

It would have been obvious to one of ordinary skill in the art at the time of the invention to combine Orime with Bickmore. The motivation is to ensure that the WWW documents can be properly read on PDAs thus allowing the user to see the messages without connecting using a full size personal computer.

5. Claims 5 and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Orime in view of Hasebe JP 2000-207300 A (hereinafter Hasebe).

Regarding claim 5, Orime does not explicitly disclose "wherein said reporting E-mail includes a plurality of choices for re-informing methods ... choices comprising placing a call to a first telephone" however Hasebe teaches this as a Web browser which displays information and gives a plurality of choices for re-informing (paragraphs 37-45). Orime does disclose that management of a meeting was previously done by telephone (paragraphs 3-4), and in the current system of Orime, the telephone number of an invitee is available (paragraph 20). Hasebe discloses resending an invitation if the client has not accessed it (paragraph 45). The prior art disclosed by Orime (paragraphs 3-4) suggests organizing a meeting by telephone and Hasebe suggests resending invitations.

It would have been obvious to one of ordinary skill in the art at the time of the invention to resend an invitation using the telephone if the original invitation by email was not accessed. The motivation is to allow the organizer to retry the users who have not confirmed.

Regarding claim 9, Orime does not explicitly disclose "preparing a list of informed persons not having check a transmitted message, and means for periodically reporting the list to the informing person" however this is taught by Hasebe as providing a confirmation of receipt to the sender (paragraph 38).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Orime to explicitly inform the sender who has not accessed the message, as taught by Hasebe, for the purpose of organizing a meeting. The motivation is to allow the organizer to retry the users who have not confirmed.

6. Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Orime in view of Makita JP 2000-231527 A (hereinafter Makita).

Regarding claim 6, Orime does not disclose "said reporting E-mail includes a URL for linking to said result of detection" and "the URL has a document described with www-compatible language and including the result of detection" however these are taught by Makita. Makita discloses a system that sends an email linking a website that contains the results of user's answers similar to the results received for the invention of Orime (paragraph 31).

It would have been obvious to one of ordinary skill in the art at the time of the invention to combine Orime with Makita. The motivation is to make it easier for the manager to view the results.

7. Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Orime in view of Makita and in further view of Hasebe.

Regarding claim 7, it is substantially similar to claim 5 and is therefore rejected for the same reasons.

8. Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Orime in view of Makita and in further view of Bickmore.

Regarding claim 8, neither Orime nor Makita disclose "wherein said document [...] has a screen processed to accommodate various display capacities of the terminal device" however Bickmore teaches this as a re-authoring system for transforming a document into two or more sub documents for viewing on PDAs (paragraphs 8-23).

It would have been obvious to one of ordinary skill in the art at the time of the invention to combine Orime and Makita with Bickmore. The motivation is to ensure that the WWW documents can be properly read on PDAs thus allowing the user to see the messages without connecting using a full size personal computer.

Conclusion

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

10. Lee et al. US 2003/0233265 A1 discloses a meeting system that notifies invitees at their respective devices in order of priority if the first attempt is unsuccessful.

11. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

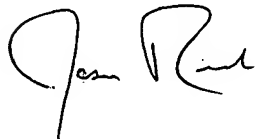
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jason Recek whose telephone number is (571) 270-1975. The examiner can normally be reached on Mon - Thurs 8:30am-5:00pm.

Application/Control Number:
10/521,580
Art Unit: 2142

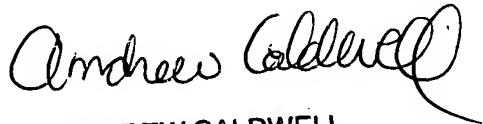
Page 10

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Caldwell can be reached on (571) 272-3868. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Jason Recek
2/1/08
(571)-270-1975



ANDREW CALDWELL
SUPERVISORY PATENT EXAMINER